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**Angela M. Camacho**  
Commissioner

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Commissioner

**Jeffrey B. Rios**  
Commissioner

**Louisa F. Wessling**  
Commissioner

Street Address:  
590 S. Marine Corps Drive  
Suite 312 ITC Building  
Tamuning, GU 96913

Mailing Address:  
P.O. Box 2950  
Hagåtña, GU 96932

Website:  
<http://dlm.guam.gov>

E-mail Address:  
[admin@galc.guam.gov](mailto:admin@galc.guam.gov)

Telephone:  
(671) 649-LAND (5263)  
ext. 681

Facsimile:  
671-649-5383



LOURDES A. LEON GUERRERO  
Maga'haga

JOSHUA F. TENORIO  
Sigundo Maga'lahi

**KUMISION I TANO' SAINA-TA**  
(Guahan Ancestral Lands Commission)



JOHN T. BURCH  
Executive Director

**GALC REGULAR BOARD MEETING AGENDA**

**Wednesday, March 8, 2023 at 2:30 PM**

Open to the Public via ZOOM and Live Streaming on YouTube

**Public Notice was published in *The Pacific Daily News* on  
Tuesday, February 28, 2023 and Friday, March 3, 2023**

**I. CALL TO ORDER**

**II. ROLL CALL**

**III. APPROVAL OF MINUTES**

- A. February 1, 2023 Special Meeting Summarization
- B. February 8, 2023 Regular Meeting Summarization
- C. February 22, 2023 Special Meeting Summarization

**IV. EXECUTIVE DIRECTOR'S REPORT**

**V. GEDA Progress Report**

**VI. OLD BUSINESS**

- A. Northern Market
- B. DPHSS-WIC MOU & License Agreement
- C. Farmer's Market

**VII. NEW BUSINESS**

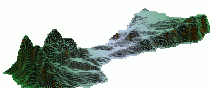
- A. ZOOM Subscription Reimbursement
- B. Official Vehicle Maintenance

**VIII. PUBLIC COMMENTS**

**IX. ANNOUNCEMENTS**

- A. Next GALC Board Meeting is scheduled for: \_\_\_\_\_.

**X. ADJOURNEMENT**





# GUAM ANCESTRAL LANDS COMMISSION



**Lourdes A. Leon Guerrero**  
Maga'haga  
Governor

**Joshua F. Tenorio**  
Sigundo Maga'lahi  
Lieutenant Governor

**John T. Burch**  
Executive Director

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In compliance with Public Law 24-109,  
**Guam Ancestral Lands Commission**

Published the  
Public Meeting Announcement  
For  
**Wednesday, March 8, 2023**

in

***The Pacific Daily News on Tuesday, February 28, 2023, and  
Friday, March 3, 2023***

Attached are photo copies of the published GALC Meeting Notices

# Jake Paul takes first ring defeat to Fury

RIYADH, Saudi Arabia (AP) — YouTube star Jake Paul took the first defeat of his professional boxing career Sunday night, losing a split decision to Tommy Fury.

Paul (6-1) knocked down Fury with a short left hand early in the final round of their cruiserweight bout, but the younger half-brother of heavyweight champion Tyson

Fury controlled long stretches of the eight-round meeting at Diriyah Arena.

Two judges scored the bout 76-73 for Fury (9-0, 4 KOs), while the third favored Paul, 75-74.

"I've already won every single way in life," Paul said. "I made it farther than I ever thought I would, and beyond. This is a humbling experience. I'll take it on the chin and come back."

Fury is the first actual professional boxer fought by Paul, who built his lucrative second career by taking on mixed martial artists and



AP PHOTO

Jake Paul, left, and Tommy Fury, face off after a weigh-in, a day before their match, in Riyadh, Saudi Arabia, Feb. 25, 2023.

a fellow YouTuber in boxing bouts that generated huge social media attention despite featuring more enthusiasm than skill.

## GHURA

Guam Housing and Urban Renewal Authority  
Atundat Ginima' Yan Rinueban Siudad Guahan  
117 Bien Venida Avenue Sinajana, Guam 96910

Tel: (671) 477-9851 • Fax: (671) 300-7585 • TTY: (671) 472-3701



Joshua F. Tanorio  
Lt. Governor of Guam

Loures A. Leon Guerrero  
Governor of Guam

### PUBLIC ANNOUNCEMENT

**GHURA IS NOW ACCEPTING PRE-APPLICATIONS ON-LINE FOR THE SECTION 8 PROJECT-BASED RENTAL HOUSING PROGRAM FOR ELDERLY FAMILIES ONLY**

(This advertisement is paid for by GHURA's Section 8 HCV/Project-based Program)

Starting 8 am, Monday, February 6, 2023 through 11:59 pm, March 6, 2023, the Guam Housing and Urban Renewal Authority will be accepting pre-applications for the Project-based Voucher (PBV) Program for *Elderly families*. GHURA will open its waiting list for the purpose of filling **two-bedroom** rental unit vacancies at the **Summer Town Estates in Dededo**. **Pre-applications will only be accepted on-line.**

**WHAT IS SECTION 8 PROJECT-BASED VOUCHER PROGRAM?** The GHURA Section 8 Project-based Voucher Program is rental housing assistance program for elderly families. Unlike the Section 8 tenant-based program, the Project-based subsidy is attached to specific units. The assistance does not move with the family. In Guam, the Project-based Program subsidizes 112 rental units at the Summer Town Estates in Dededo. The family's rental share is usually 30% of their household adjusted gross income.

**WHO MAY APPLY:** to apply for project-based rental housing at the Summer Town Estates, you must meet all of the following criteria:

1. The applicant must be age 62 years or older;
2. Have at least one family member who is either a U.S. Citizen, or an eligible immigrant; and
3. The family's annual income must not exceed the income limit below per family's size:

#### INCOME LIMITS

Number of Family Members	Annual Household Income Must Not Exceed
1 Person	\$26,750
2 Person	\$30,550
3 Person	\$34,350
4 Person	\$38,150

**HOW AND WHERE TO APPLY:** GHURA is only accepting on-line applications, therefore you must apply online from any computer or smart phone equipped with internet or Wi-Fi access. No hand-delivered hard copies, faxed, emailed, or mailed applications will be accepted. To apply, please follow the steps below:

1. Log in to the GHURA website at [www.ghura.org](http://www.ghura.org).
2. Click on the red box "All About Housing"
3. Click "Online Housing Applications"
4. Click Project-Based Voucher Waiting List
5. The instruction page will come up. Read the instructions and then click "begin"
6. Complete the application. Be sure to fill out all required fields marked with red asterisks.
7. After you have completed your application, review for accuracy;
8. Click "Submit"
9. A confirmation number will appear. **Keep your confirmation number for proof of submission.**

Those without a computer and internet access may apply at the Summer Town Estates Community Center located at Lada, Dededo, near Wettengel Elementary School and Lada Mart, or at the GHURA office in Sinajana. The Guam Facilities Foundation, Inc. staff will be on site to assist you with your online submission. For more information, you may contact the Summer Town Estates at (671) 486-5020 or via email at [www.giffi.net](mailto:www.giffi.net), or Rosie Francisco, Section 8 Housing Specialist Supervisor at (671) 475-1338 or via email at [rfrancisco@ghura.org](mailto:rfrancisco@ghura.org).

**REQUEST FOR REASONABLE ACCOMMODATION:** Applicants requiring special accommodation may contact GHURA's Section 8 Division at (671) 475-1330; or you may fax your written request for accommodation to (671) 477-7570; or email to [normasn@ghura.org](mailto:normasn@ghura.org).

## Kumision I Tano' Saina-ta' Guam Ancestral Lands Commission

The Guam Ancestral Lands Commission Regular Board Meeting will be held on Wednesday, March 8, 2023 at 2:30 pm. This meeting is open to the public via ZOOM and can be viewed live stream on YouTube.

#### JOIN ZOOM MEETING

<https://us02web.zoom.us/j/8706936269?pwd=dVU2MzNWMMXgyVYk4RVcyci1Jd0RoUT09>

Meeting ID: 870 693 6269

Passcode: 2022

#### AGENDA

Call to Order; Roll Call; Approval of Minutes: A. February 1, 2023 Special Meeting B. February 8, 2023 Regular Meeting C. February 22, 2023 Special Meeting; Executive Director's Report; GEDA Progress Report; Old Business: A. Northern Market B. DPHSS-WIC MOU & License Agreement C. Farmers Market; New Business: A. ZOOM Subscription Reimbursement B. Official Vehicle Maintenance; Public Comments; Announcements: Next G.A.L.C. Meeting; Adjournment

#### TO VIEW LIVE STREAMING

[https://www.youtube.com/channel/UCyvmv3dhTHG4\\_wnsSVH03g](https://www.youtube.com/channel/UCyvmv3dhTHG4_wnsSVH03g)

Details and links to this meeting are also available on the GovGuam Public Notices Portal at <https://notices.guam.gov>. Individuals requiring special accommodations, auxiliary aids or services, may call G.A.L.C. Administration Office at 671-473-5263 or email [admin@galc.guam.gov](mailto:admin@galc.guam.gov) for more information.



Joseph T. Duenas  
CCU Chairman

## GUAM POWER AUTHORITY

ATURIDAT ILEKTRESADAT GUAHAN  
P.O. BOX 2977  
HAGATNA, GUAM U.S.A. 96932-2977  
Telephone Nos. (671) 648-3045/55  
or Facsimile (671) 648-3165



John M. Benavente, P.E.  
General Manager

#### FINAL ADVERTISEMENT

### INVITATION FOR BID

This notice is paid for by the GUAM POWER AUTHORITY REVENUE FUNDS  
Public Law 26-12

BID NO.:	DUE DATE:	TIME:	DESCRIPTION:
GPA-SS-002-23	03/07/2023	10:00 A.M.	Miscellaneous Surplus Salvage (\$25.00 Non-Refundable Fee)

Bid package may be picked up at the GPWA Room 101, Procurement Office, 1st. Floor, Gloria B. Nelson Public Services Building, 688 Route 15, Mangilao, Guam 96913. All interested firms should register with our GPA's Procurement Division to be able to participate in the bid. Please call our office at (671) 648-3054 / 3055 to register. Registration is required to ensure that all "Amendments and Special Reminders" are communicated to all bidders throughout the bid process. A Non-Refundable payment for GPA-SS-002-23 must be made at GPA Custom Services Department prior to issuance of documents. Procurement instructions are posted on the Authority's web site at [http://guampowerauthority.com/gpa\\_authority/procurement/gpa\\_current\\_rfps.php#](http://guampowerauthority.com/gpa_authority/procurement/gpa_current_rfps.php#).

## Baseball's new rules to speed up games get mixed reception

**Guam Board of Barbering and Cosmetology**  
Monday, March 13, 2023 9:00 AM  
(Guam ChST)

**Join Zoom Meeting**  
<https://us06web.zoom.us/j/81361706733?pwd=Yk9odDEwRUtCUFpGbC9lTDQlOQNhZz09>

**Meeting ID:** 813 6170 6733  
**Passcode:** 179399

**Meeting Agenda:**

I. CALL TO ORDER  
II. ROLL CALL  
III. PROOF OF PUBLICATION  
IV. APPROVAL OF AGENDA  
V. APPROVAL OF MINUTES  
VI. HPLD ADMINISTRATOR'S REPORT  
VII. TREASURER'S REPORT  
VIII. OLD BUSINESS

a. Rules and Regulations – On-Going  
b. Complaints

(1) GBBC-CO-2021-0001 – Date Received: 07/02/2021 (J. Blas)  
(2) GBBC-CO-2021-0002 – Date Received: 07/08/2021 (R. Santos)  
(3) GBBC-CO-2021-0003 – Date Received: 07/19/2021 (L. Tumaneng)  
(4) GBBC-CO-2021-0004 – Date Received: 07/20/2021 (L. Tumaneng)  
(5) GBBC-CO-2021-0005 – Date Received: 08/19/2021 (A. Taitano)

c. Applications for Examination  
d. Applications for Apprenticeship  
e. Application for Establishment

IX. NEW BUSINESS  
(a) Applications for Examination  
(b) Applications for Apprenticeship  
(c) Application for Reciprocity  
(d) Board Logo Design  
(e) Barber – § 18118, Eligibility and Qualifications for Barber License – Statute (1) Osas B. Pascual

X. ANNOUNCEMENTS  
XI. ADJOURNMENT

To view the names of the applicants being considered go to <https://guamhpld.org/gbbc>

**LIVE Streaming Link**  
<http://facebook.com/HPLDGuam>

This advertisement was paid for by DPHSS/Health Professional Licensing Office-Local Funds.

For more information, please contact the Board office at 735-7404/10 thru 12. Persons needing telecommunication device for the Hearing/Speech Impaired (TDD) may contact 475-8339.

**WEST PALM BEACH, Fla. (AP)** — It took 2 hours, 19 minutes for the Miami Marlins to beat the Houston Astros 4-3 in a spring training game Monday — a game so fast that Ryan Murphy, a lifelong Houston fan, found himself

lingering in the ballpark for a while afterward.

"I'm a baseball fan," said Murphy, wearing 2022 Astros World Series gear, "so if I stay here for four hours, for two hours, it doesn't matter to me."

Faced with criticism

of dwindling cultural relevance and a lagging product compared to other major sports, Major League Baseball introduced a set of new rules this year to speed up games and attract younger fans.

The bases are bigger to improve player safety and may also encourage more aggressive baserunning. Pitchers can only disengage from the

pitching rubber twice per plate appearance. And there's a new pitch clock that gives players 30 seconds to resume play between batters.

Between pitches, pitchers have 15 seconds with nobody on and 20 seconds if there is a baserunner.

Less than a week into the spring training exhibition schedule, MLB seems to be getting what it wants,

shaving about 20 minutes off the average length of games compared to last spring.

Players have been mostly pleased with the rollout.

"The game feels more exciting," Washington Nationals left-hander Patrick Corbin said. "Even some of the high-scoring games are under three hours."



### CIVIL SERVICE COMMISSION

KUMISION I SETBISION SIBIT  
Bell Tower Suite 201, 710 W. Marine Corps Drive  
Hagatna, Guam 96910  
Tel: (671) 647-1855 • Fax: (671) 647-1867

### NOTICE OF MEETING

**IN-PERSON MEETING AT 9:00 A.M. ON WEDNESDAY, MARCH 8, 2023**

For special accommodations, please contact Eric D. Miller, CSC ADA Coordinator at (671) 647-1855. The public can access a live stream of this meeting on the CSC website at: <https://us06web.zoom.us/j/86958117012?pwd=dFN1dmlRNUdFbnVlVmFsVnFEM0Z0dz09>

or via zoom at: <https://us06web.zoom.us/j/86958117012?pwd=dFN1dmlRNUdFbnVlVmFsVnFEM0Z0dz09>  
(Meeting ID: 869 5811 7012 / Passcode: 224133)

### AGENDA:

- I. CALL TO ORDER.
- II. APPROVAL OF MINUTES: None.
- III. NEW BUSINESS:  
(1) POST AUDIT STAFF ASSESSMENT REPORT HEARING  
**Mark A. Snyder vs. Guam Fire Department;**  
CSC Case No.: 23-PA02.
- IV. OLD BUSINESS:  
(1) MOTION HEARING (ALJ)  
**Stephen Charfauros vs. Guam Fire Department;**  
CSC Case No.: 19-GRE10.
- V. GENERAL BUSINESS:  
(1) Bills and Laws affecting CSC:  
(2) Litigation by Administrative Counsel: None.  
(3) Administrative Matters:  
(A) Board Training: Civil Service Commission Board Members.
- VI. ADJOURNMENT.

/s/ Daniel D. Leon Guerrero, Executive Director  
Paid for by the Civil Service Commission.

## Kumision I Tano' Saina-ta' Guam Ancestral Lands Commission

The Guam Ancestral Lands Commission Regular Board Meeting will be held on Wednesday, March 8, 2023 at 2:30 pm. This meeting is open to the public via ZOOM and can be viewed live stream on YouTube.

### JOIN ZOOM MEETING

<https://us02web.zoom.us/j/8706936269?pwd=dVU2MzNWdWdWVkc4RVcyc1Ild0RoUT09>

Meeting ID: 870 693 6269

Passcode: 2022

### AGENDA

Call to Order; Roll Call; Approval of Minutes: A. February 1, 2023 Special Meeting B. February 8, 2023 Regular Meeting C. February 22, 2023 Special Meeting; Executive Director's Report; GEDA Progress Report; Old Business: A. Northern Market B. DPHSS-WIC MOU & License Agreement C. Farmers Market; New Business: A. ZOOM Subscription Reimbursement B. Official Vehicle Maintenance; Public Comments; Announcements: Next GALT Meeting; Adjournment

### TO VIEW LIVE STREAMING

[https://www.youtube.com/channel/UCvymv3dhTHiG4\\_wnsSVH03g](https://www.youtube.com/channel/UCvymv3dhTHiG4_wnsSVH03g)

Details and links to this meeting are also available on the GovGuam Public Notices Portal at <https://notices.guam.gov>. Individuals requiring special accommodations, auxiliary aids or services, may call GALT Administration Office at 671-473-5263 or email [admin@galt.guam.gov](mailto:admin@galt.guam.gov) for more information.



**Administration & Finance Consolidated Procurement Office**

**Request for Proposal (RFP)**  
**UOG RFP NO. P23-03**

The University of Guam is soliciting sealed bids for:  
**"INTERIM DEAN FOR SCHOOL OF HEALTH"**

Copies of Instructions and Information may be obtained from:

OFFICE: UOG Procurement Office  
TELEPHONE: (671) 735-2925  
FAX NO.: (671) 735-3010  
LOCATION: UOG Administration Building (ANNEX BUILDING) Mangilao, Guam  
E-MAIL: [uog.bids@triton.uog.edu](mailto:uog.bids@triton.uog.edu)

In accordance with 5 G.C.A. §5220(a), a digital copy of this solicitation shall be posted on UOG's website at <https://www.uog.edu/procurement/>. No fees shall be assessed to potential bidders or other parties for accessing or downloading a copy of this solicitation from UOG's website. Potential bidders who access or download a copy of this solicitation from requesting on UOG's website must register their contact information with UOG to ensure that they receive any notices regarding any changes or updates to this solicitation. In accordance with 5 G.C.A. §5220(b), UOG shall not be liable for failure to provide notice to any party who accesses or downloads a copy of this solicitation from UOG's website and who fails to register their contact information with UOG as required herein.

A non-refundable fee of \$25.00 is required to obtain a hard copy or CD-ROM of the bid package. Payment may be made via cash, check or credit card at the UOG Business Office, Cashier Services located at the UOG Administration Building Mon-Fri from 8 am – 4 pm. Pay by phone is available from 8 am – 4 pm. You may schedule an appointment with our cashier services at 735-2923/45/46, please reference Bid number and title when making payment. Send proof of receipt to the Procurement Office.

**Deadline for Submission of RFP Packages is on Friday, March 24, 2023 on or before 4:00 P.M.** via electronic submission to Bid Share folder provided by UOG Procurement Office

/s/ Thomas W. Krise, Ph.D.  
President

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This Advertisement is paid for by University of Guam Funds.



**ADMINISTRATION & FINANCE Consolidated Procurement Office**

**Request for Proposal (RFP)**  
**UOG RFP NO. P23-04**

The University of Guam is soliciting sealed bids for:

**"MARKETING, COMMUNICATION, & EVENT MANAGEMENT SERVICES"**

Copies of Instructions and Information may be obtained from:

OFFICE: UOG Procurement Office  
TELEPHONE: (671) 735-2925  
FAX NO.: (671) 735-3010  
LOCATION: UOG Administration Building (ANNEX BUILDING) Mangilao, Guam  
E-MAIL: [uog.bids@triton.uog.edu](mailto:uog.bids@triton.uog.edu)

In accordance with 5 G.C.A. §5220(a), a digital copy of this solicitation shall be posted on UOG's website at <https://www.uog.edu/procurement/>. No fees shall be assessed to potential bidders or other parties for accessing or downloading a copy of this solicitation from UOG's website. Potential bidders who access or download a copy of this solicitation from requesting on UOG's website must register their contact information with UOG to ensure that they receive any notices regarding any changes or updates to this solicitation. In accordance with 5 G.C.A. §5220(b), UOG shall not be liable for failure to provide notice to any party who accesses or downloads a copy of this solicitation from UOG's website and who fails to register their contact information with UOG as required herein.

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/s/Thomas W. Krise, Ph.D.  
President

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**GUAM ANCESTRAL LANDS COMMISSION  
SPECIAL MEETING MINUTES  
Via Zoom with Live-Streaming on YouTube  
February 1, 2023 • 2:37 p.m. to 3:46 p.m.**

**CALL TO ORDER**

Chairman Eclavea called to order the virtual, special meeting of the Guam Ancestral Lands Commission (GALC) at 2:37 p.m. In compliance with Public Law 24-109, GALC published notices of the meeting in *The Guam Daily Post* on Wednesday, January 25, 2023 and Monday, January 30, 2023.

**ROLL CALL**

Executive Director Burch took roll call and stated they had a quorum.

**Commission Members Present**

Ronald F. Eclavea, Chairman  
Ronald T. Laguana, Vice Chairman  
Maria G. Cruz, Secretary/Treasurer  
Louisa F. Wessling, Commissioner

**Absent**

Angela M. Camacho, Commissioner  
Anita F. Orlino, Commissioner  
Jeffrey B. Rios, Commissioner

**Management and Staff Present**

John T. Burch, Executive Director  
Catherine T. C. Blas, Program Coordinator III  
Joey Leon Guerrero, Land Agent II  
Antolin Mendiola, Land Agent I  
Mara Perez, Word Processing Secretary

**Also Present**

Kristan Finney, Assistant Attorney General, Office of the Attorney General (OAG)  
Sandra Miller, Assistant Attorney General, OAG  
Joseph Borja, Director, Department of Land Management (DLM)

**MOU BETWEEN THE OFFICE OF THE ATTORNEY GENERAL,  
DEPARTMENT OF LAND MANAGEMENT, CHAMORU LAND TRUST  
COMMISSION, AND GUAM ANCESTRAL LANDS COMMISSION**

Executive Director Burch said the 2014 MOU with the OAG split the cost of a legal counsel with DLM, the CHamoru Land Trust Commission (CLTC), and GALC. He stated CLTC, by legislation, was exempted from this cost in FY22 and FY23. The Director said an agreement was reached with the OAG that the cost of having legal counsel would

Guam Ancestral Lands Commission

Minutes of February 1, 2023

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not increase for DLM nor GALC. He stated the recent change of administration at the OAG along with the resignation of their legal counsel, Mr. Nicolas Toft, warrants another look at their 2014 MOU. He said DLM may be negotiating an MOU with the OAG.

Ms. Sandra Miller said the new Attorney General (Douglas Moylan) assigned both herself and Ms. Kristan Finney to handle the work of providing legal counsel for GALC. She stated they would help each other out to make sure the Commission is well taken care of. She said she does most of the litigation at the OAG. She stated she would pick up former AAG Nick Toft's court cases, which are simple enough. She mentioned the only big case that she is aware of is the Torres Estate, which she remembers from several years ago. She said she thought it was resolved for the most part. She stated the OAG was still in transition and would need to figure out where they are with the Torres case.

Ms. Kristan Finney said she knows Land Management needed a full-time attorney. She said she wonders if GALC needed a full-time attorney. She asked if the Commission was looking for someone to be at the meetings and to also provide guidance as issues come up. She stated she wasn't sure how extensive GALC's legal needs were.

Director Borja noted the 2014 MOU referred to CLTC's financial account, which they don't control. He stated as far as DLM was concerned the 2014 MOU is null and void. He stated DLM was negotiating with the AG's Office for a new MOU.

Executive Director Burch asked if DLM wanted a full-time attorney assigned to them.

Director Borja said they wanted an attorney to be at the DLM office from 1:00pm to 5:00pm, not 8:00am to 5:00pm. He stated DLM was concerned about some recording issues, the issuance of Certificates of Title, whether the chain of title was correct enough to issue a title, and also attendance at their Guam Land Use Commission meetings. He said they were currently working with the AG's Office to have an AAG assigned to DLM. He said other basic issues their legal counsel would work on was land registration and any procurement process involving over half a million dollars. He mentioned the Core Tech case and said Ms. Miller may need to make a report on this case to GALC and DLM.

Executive Director Burch stated GALC's needs were pretty much the same. He said the 2014 MOU worked out well for GALC. He said they used Mr. Toft a little bit less than the CLTC. He noted they need legal counsel to attend meetings to make sure they stay in line. He added they also need legal counsel to advise them on public laws, to help with research into these laws, and for title hearings.

Director Borja said yesterday he met with the Legislature's Committee on Health, Land, Justice, and Culture. He noted during that meeting, Speaker Terlaje said the legal services provided to DLM should be at no cost since the attorney assigned to DLM is already being funded. He stated the Speaker said there should not be any reimbursement. He added he and his staff would have to review the meeting video on Friday to clarify exactly what the Speaker said. He stated Ms. Finney could join them.

The Chairman said that would make a serious impact on exactly how to go about doing this.

Director Borja agreed. He added DLM left their first negotiation meeting with Deputy Chief Attorney General Joe Guthrie with the understanding that DLM would get legal advice from

the OAG, and DLM would pay their fair share. He stated they were now drafting an MOU for approval with the OAG.

The Chairman asked Executive Director Burch if what GALC had been paying for legal counsel thus far was considered having a part-time attorney.

Executive Director Burch replied yes, Mr. Toft gave them advice as needed.

Ms. Finney stated with DLM a lot of things come up on a daily basis that needed an attorney to review. She said it was very important for DLM to have a full-time attorney. She asked if GALC needed legal advice on a case-by-case basis or on an almost daily basis.

Executive Director Burch said it would be more on a case-by-case basis. He stated he handled almost all the administrative work, that he prepared all the resolutions, and did most of the writings. He said he would then send sensitive documents to Mr. Toft to review.

The Chairman asked if the case-by-case scenario would impact what GALC was currently paying for legal counsel. He also asked if the Board could work efficiently if it meant they had to wait for clarification on a sensitive issue.

Ms. Finney stated it didn't sound like GALC needed a full-time attorney. She suggested they continue to request having an attorney present at their meetings.

The Chairman asked what it would cost GALC for legal counsel if they had one meeting a month versus two meetings a month.

Executive Director Burch said he thought they could work something out and probably come up with a fixed rate so they could have someone at the meetings as well as to be able to send things up to the OAG for answers on legality on such things as procurement, contracts, and RFPs. He mentioned the Core Tech case was getting pretty heated. He stated he wouldn't be surprised if GALC got enjoined in that case. He mentioned the Torres case and how they weren't notified the case was going to be dismissed. He noted the statute of limitations on it expires this July. He wondered about the conflict they may have with the OAG, which showed up in the Torres case.

The Chairman said what happened with the Torres case made the Commission consider getting their own legal counsel outside of the OAG. He asked Ms. Miller and Ms. Finney for their input on this matter.

Ms. Miller said GALC would have to be authorized to get legal counsel. She said she doesn't believe that GALC on its own as a Commission was authorized to do that. She said she didn't recall any authority, but if it was out there, she wasn't aware of it. She stated even if there were, there needed to be a procurement for legal counsel that's approved by the Attorney General himself. She added she didn't think he would have any opposition to it. She noted when Commissions needed legal counsel, someone from the OAG was assigned to them. She said AAG Finney made a good point about whether Ancestral Lands needed legal counsel all the time. She said perhaps Ancestral Lands needed to be a part of DLM's negotiations with the OAG. She noted this was the first time she'd heard of the new MOU. She stated going forward, if the Torres case was something that was going to be re-looked at, then GALC was going to need someone to do more work than attend the meetings and give advice on the fly at the

conference table. She said she was pretty confident the Commission didn't have the authority to just go and hire its private counsel. She said that would require legislative change.

Vice Chairman Laguana suggested Director Burch get together with Director Borja and CLTC's Acting Director (Alice Taijeron) to discuss a new MOU.

Executive Director Burch said he could come up with an MOU and also sit down with Director Borja to talk about it. He said it seemed like DLM doesn't necessarily need a full-time attorney, but together they both could probably get a part-time attorney and compensate the OAG.

Ms. Finney clarified what she said earlier about DLM needing a full-time attorney. She said DLM has things that come up on a regular basis that would make it really inefficient if they had to package up each one of those separately and send them up to the OAG for advice. She stated it was very important for Land Management to have somebody assigned to them full-time, because of the frequency and types of issues that DLM faces.

There was a discussion about Bill No.12-37.

Ms. Finney interrupted to remind the Commission they were having a special meeting.

Executive Director Burch thanked Ms. Finney and said the Vice Chairman was trying to say they needed legal counsel on the matter.

Ms. Finney said as of right now her understanding was Ms. Miller is assigned to handle anything that is going to be in court for GALC, and she is assigned to handle whatever is not going to be in court.

Commissioner Wessling said at minimum they would want legal counsel to be present at their meetings. She asked what was budgeted for legal counsel.

Executive Director Burch replied around \$46,000 or \$47,000.

Commissioner Wessling said she hoped it would remain in that range.

Executive Director Burch said he was going to propose that. He asked Ms. Finney if she was going to be at their February 8 meeting at 2:30pm.

Ms. Finney replied for now that's her understanding, but that, obviously, there were still some things to discuss.

## **ADJOURNMENT**

**Motion by the Vice Chairman to adjourn. The Chairman, hearing no objection, adjourned the meeting at 3:46pm.**

**Additional Remarks:** Please refer to the Office of Public Accountability's (OPA) website for the GALC Board Meeting Audio Recording for detailed information.



**APPROVED BY:**

**DATE APPROVED:**

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**Ronald F. Eclavea, Chairman**  
Guam Ancestral Lands Commission

**PREPARED BY:**

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**Mara Perez, Word Processing Secretary**  
Guam Ancestral Lands Commission

**REVIEWED AND APPROVED BY:**

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**John T. Burch, Executive Director**  
Guam Ancestral Lands Commission

**GUAM ANCESTRAL LANDS COMMISSION  
REGULAR MEETING MINUTES  
Via Zoom with Live-Streaming on YouTube  
February 8, 2023 • 2:32 p.m. to 4:30 p.m.**

**CALL TO ORDER**

Chairman Eclavea called to order the virtual, regular meeting of the Guam Ancestral Lands Commission (GALC) at 2:32 p.m. In compliance with Public Law 24-109, GALC published notices of the meeting in *The Guam Daily Post* on Wednesday, February 1, 2023, and Monday, February 6, 2023.

**ROLL CALL**

Executive Director Burch took roll call and stated they had a quorum.

**Commission Members Present**

Ronald F. Eclavea, Chairman  
Ronald T. Laguana, Vice Chairman (logged on at approximately 2:40 p.m.)  
Maria G. Cruz, Secretary/Treasurer  
Angela M. Camacho, Commissioner  
Jeffrey B. Rios, Commissioner  
Louisa F. Wessling, Commissioner

**Absent**

Anita F. Orlino, Commissioner

**Management and Staff Present**

John T. Burch, Executive Director  
Kristan K. Finney, Legal Counsel, Office of the Attorney General (OAG)  
Catherine T. C. Blas, Program Coordinator III  
Joey Leon Guerrero, Land Agent III  
Andy Mendiola, Land Agent I  
Mara Perez, Word Processing Secretary

**Absent**

Sandra C. Miller, Legal Counsel, OAG

**Also Present**

Mary Camacho, Real Property Supervisor, Guam Economic Development Authority (GEDA)  
Tony Arriola, Program Coordinator III, GEDA  
Meagan Obispo, Program Coordinator I, GEDA  
Leonard Calvo, Northern Market (NM)  
Carlos Camacho, NM  
Katrina Reyes, Treasurer, Farmers' Cooperative Association of Guam (FCAG)  
Madeline Ibay, Board Secretary, FCAG  
Jeffery Kosaka, Board Member, FCAG  
William Bischoff, Esq.

## APPROVAL OF MINUTES

### A. January 11, 2023 Regular Board Meeting Minutes

**Motion by Commissioner Wessling to approve the January 11, 2023 minutes, subject to corrections if any. Motion seconded by Secretary/Treasurer Cruz. There was no discussion. Chairman Eclavea called for a vote. Motion passed 6-0.**

### B. January 25, 2023 Special Board Meeting Minutes

**Motion by Secretary/Treasurer Cruz to approve the January 25, 2023 minutes, subject to corrections per audio recording. Motion seconded by Commissioner Camacho. There was no discussion. Chairman Eclavea called for a roll call vote. Commissioner Camacho approved. Vice Chairman Laguana said *âprueba*. Secretary/Treasurer Cruz approved. Chairman Eclavea approved. Commissioners Wessling and Rios abstained.**

## EXECUTIVE DIRECTOR'S REPORT

*This report was in the meeting packet and is also attached here.*

The Executive Director reported on the following:

#### 1. RFP GALC-22-001 – Independent Audit Services

The Executive Director explained the Audit Contract between GALC and Ernst & Young LLP would pay for the audit that is currently ongoing for the year 2022 and then for 2023 and 2024 with the option to renew one more year. He said he informed the auditors, although they've already started moving on it, that because of the Guam procurement laws he would not honor any invoices they send until they have an audit contract with all signatures. He said he was aware it's at the AG's Office and believes Ms. Finney is reviewing it. He said the first draft should be completed by the end of February, and the final draft, according to the OPA's timeline, should be completed by the end of March. He noted they were not ready to sign the entrance for the auditors, although Ernst & Young were working on it. He said they've been sending documents back and forth. He stated the contract still needs the signatures of the AG and the Governor. He reiterated he would not obligate Ancestral Lands financially until he receives the final signed contract.

#### 2. Bill No. 23-37 (COR)

The Executive Director explained this was the Land Bank Reform Act resubmitted by the Governor with minor changes. He said it was previously Bill No. 345-36 from the last Legislature. He said this would really help build up the Land Bank, which would accumulate funds when they eventually get the Rules and Regs signed and ready to go. He stated he would be asking Ms. Finney to review this bill and advise them if it may be lacking anything or if they needed to amend the Rules and Regs that were submitted to the AG's Office in 2017. He said he hopes they will be given the opportunity to discuss this bill on the floor. He added sometimes a bill that passes through the legislative process ends up looking very different from the one submitted. He noted at least it would get the conversation started so they can move forward on this issue.

#### 3. GALC Legal Services MOU

The Executive Director explained they would send their proposed MOU to Ms. Finney first for her review.

#### 4. Transfer of Funds to Investment Firms

The Executive Director explained their attempt to do a DocuSign failed. He stated hard copies were now in GALC's office awaiting the signatures of Chairman Eclavea and Secretary/Treasurer Cruz. He said account numbers have been assigned and after the Chairman and Secretary/Treasurer come to the office and sign the documents he will then be able to transfer the funds to Bank of Guam Investment Services (BGIS) and Raymond James. He added the funds are available, because he had already transferred them into GALC's savings account.

5. GALC Bank Accounts and Fund Balances (please see attached report)

### **GEDA PROGRESS REPORT – Presented by Tony Arriola**

*This report was in the meeting packet and is also attached here.*

Mr. Arriola reported on GEDA's efforts to manage Land Bank Trust properties. He also stated Mr. Leonard Calvo of NM and Mr. Michael Aguon of FCAG would be addressing the Board as well. Mr. Arriola gave the following updates to his report:

1. NM made a payment today of \$27,854.51.
2. Matson made a payment today of \$27,733.00, bringing their outstanding balance to zero.
3. Smithbridge Guam (Polaris Point) made a payment today of \$8,800.00, bringing their outstanding balance to zero.
4. On February 6, GEPA said they would be remitting via ACH a payment of \$32,000.00, which had not been received as of today.

Commissioner Wessling requested for more information to be included in the GEDA Progress Report. She asked for the report to show which outstanding month a payment was applied to. As an example, she referred to Trans Steel's monthly \$600.00 payment towards their outstanding balance of \$8,900.00. She said knowing what month their January 30 payment was applied to would give her an idea of how far back Trans Steel was outstanding. Commissioner Wessling also requested the report to show the calculations or applications of any interest, penalties or late fees that are due per the licensing from all of GALC's tenants. She said this information would show their true balance due. Mr. Arriola responded GEDA would do as requested.

### **OLD BUSINESS**

**Motion by Commissioner Wessling to amend the Agenda for the February 8 Regular Board Meeting by moving up item VI B Old Business "Legal Counsel Updates - Litigations" and to move down item VI A Old Business "Northern Market". Motion seconded by Secretary/Treasurer Cruz. There was no discussion. The Chairman called for a vote. Motion passed 6-0.**

#### **A. Legal Counsel Updates - Litigations**

The Executive Director asked Ms. Finney if Mr. Toft had provided her with information on some of these cases.

Ms. Finney replied she was not aware of any and added Ms. Miller was the AAG assigned to handle all litigation matters for the Commission.

The Executive Director suggested they request a continuance since Ms. Miller was not present.

The Chairman asked if Ms. Miller had been notified of today's meeting.

Ms. Catherine Blas replied the meeting notice and the meeting packet were sent to Ms. Miller.

The Chairman asked Ms. Finney why Ms. Miller was absent from today's meeting.

Ms. Finney replied Ms. Miller might not have been brought up to speed on any litigation matters and added Ms. Miller would have been here had she had something to report. Ms. Finney said she believed Ms. Miller knew about today's meeting and said she didn't know if Ms. Miller was aware of anything to be reporting to the Commission.

The Chairman said they should schedule a special meeting due to the statute of limitations. He then asked Mr. Bischoff if he had anything to add.

Mr. Bischoff said Ms. Finney and Ms. Miller should be aware of the memo from Mr. Canto to Mr. Toft, which Mr. Toft showed to the Commission. He said Mr. Canto's memo made certain assertions about what happened in the Torres Estate litigations that were all quote unquote settled in a confidential settlement agreement two years ago. He said the Commission was not even advised of the settlement, because supposedly there was a conflict of interest that precluded the Attorney General's Office from even telling the Commission about any kind of settlement negotiations with the Torres Estate. Mr. Bischoff said it seemed to him that it was pretty obvious that if there actually was a conflict of interest that the Commission at that point should have been assigned its own counsel. He said maybe Ms. Finney and Ms. Miller could address whether they think this confidential settlement agreement that was done without any notice to the Commission was appropriate at all. He stated he, and maybe the Commission, would like to know whether Attorney General Camacho was even aware of this confidential settlement agreement.

The Chairman agreed.

Mr. Bischoff said last month he sent to the Commission excerpts from several documents, relevant portions of their case filings, about 15 pages worth. He asked if everyone received a copy.

The Executive Director said it was forwarded to the Commissioners as soon as he received it. He added he wasn't sure if Mr. Toft had forwarded it to his replacements.

Mr. Bischoff said he appeared before the Commission a year ago, in February of last year. He noted Mr. Toft said the Torres cases were still with the Guam Supreme Court, but that he would update the Commission. He stated Mr. Toft said pretty much the same thing in July, which was two years after the settlement. Mr. Bischoff said it was getting kind of concerning, that he had been coming to these meetings for almost a year now. He said it was the Commission's matter. Mr. Bischoff added there were several cases that were dismissed in that settlement agreement, some of which involved lands that were not even federal return lands and some that were validly in the Commission's inventory.

The Executive Director said he would send the documents to Ms. Miller. He stated the earliest they could have the special meeting was February 22 at 2:30pm. He noted the Commissioners would not receive a stipend, because it would be the third meeting that month.

The Chairman said time was of the essence, and they should have the special meeting on February 22.

## B. Northern Market

Mr. Carlos Camacho said NM now had their tenancy base, so they know what type of financing is needed.

Mr. Leonard Calvo said they had secured a retailer out of Japan named Daiso, which is a top 100-yen store in Japan. He said they had a signed Letter of Intent (LOI) with them. He stated Daiso are looking at doing a 10,000 square foot store. He said Daiso would be their anchor, the key component of their development plan. He stated with Daiso they would be able to come up with a program to move forward. He noted they also have LOIs with Community First Credit Union, Kings, Tokyo Mart, Benii, Ajisen, and several other smaller restaurants.

The Chairman asked about the financial institution NM first talked about.

Mr. Calvo said they had an LOI with the Bank of Guam, but their schedules didn't match up. He said they were going to do two pads in Phase One of their development plan, which would be Kings and Community First.

Commissioner Wessling said she was expecting and hoping for something much more substantial from NM today. She noted the Commission had acknowledged the challenges everyone in business on Guam had faced even prior to the pandemic. She stated the Commission has been the rah-rah crowd for NM, allowing deferment of payments and granting extensions. She said GALC has come under scrutiny and criticism (from the Office of the Public Auditor, for one). She recalled the last time attorney Jennifer Calvo came before the Commission she said NM would make a payment of almost a million dollars. She stated the Board has not heard anything more on the status of this payment. Commissioner Wessling stated they answer to stakeholders and everything from NM so far has been verbal despite GALC's request for written proposals and written updates. She said they recognize how long this has been going on and the work that NM has put into it, but if a tenant doesn't pay and doesn't provide some kind of proposal payment with backed up data, that after a while a landlord's confidence in their ability to pay starts to wane.

Mr. Calvo said they will get a proposal to GALC by the end of the month now that things have firmed up with their tenancy.

Commissioner Wessling asked if the substantial lump sum payment that attorney Calvo proposed to GALC a couple of months ago was still forthcoming.

Mr. Camacho said they could get some money to GALC.

Commissioner Wessling asked if their infrastructure and construction costs, their financing of Phase One, and the timeline for the completion of that financing will be included in their report at the end of the month.

Mr. Camacho replied yes.

Commissioner Wessling asked if the report will include when the Commission can expect the payment that attorney Calvo alluded to a few months ago.

Mr. Camacho said a payment or some type of solution.

Commissioner Wessling asked if the amount and solution will be in the report.

Mr. Camacho said that's right.

## **NEW BUSINESS**

### **A. Farmers' Market**

Mr. Michael Aguon, President of FCAG, asked if they could work something out regarding their arrears.

Secretary/Treasurer Cruz asked if they had a plan on how to pay their arrears.

Mr. Aguon said they owe \$4,821.32 and at the very least they will be able to make a payment of half that amount. He asked if they can work out a payment plan for the remainder.

The Chairman asked what their timeline would be.

Mr. Aguon said about 6 months of monthly payments.

Commissioner Wessling recommended for FCAG to put in writing all the details of a payment plan to include the amounts, the timeline, and also where they anticipate the income to be coming from and then submit it to the Board for review and consideration.

Commissioner Rios agreed and added they want to see FCAG succeed.

Commissioner Camacho agreed and added maybe legal counsel should make sure this doesn't make the Board overstep any boundaries.

The Executive Director said setting up a payment plan with FCAG would still be within the law as long as GALC gets paid. He said the law provides for how much FCAG's rent would be. He said he believes they are well within their rights to make a decision on a payment plan.

Commissioner Camacho said with regards to a payment plan for CY21, she believes the law doesn't say whether or not it has to be paid over a year's time or in two or three years down the road.

The Executive Director said right, how it's to be paid is up to the Commission. He added it should be paid up supposedly before the next calendar year is due, which for CY22 is in May. He said they would figure out how much FCAG owes for that year, and they could again work out another payment plan. He recommended they move forward with it. He said he wasn't sure if the Commissioners needed to take a vote on it.

The Chairman said no, they are going to wait for the actual payment plan in writing. He asked Mr. Aguon how soon FCAG could make that first payment of half what they owe.

Mr. Aguon replied in March.

The Chairman said they looked forward to seeing FCAG's payment plan.

#### B. DPHSS-WIC MOU & License Agreement

Executive Director Burch stated GEDA informed them that the Department of Public Health and Social Services (DPHSS) was interested in renewing their MOU with them, however, there is nothing in writing right, yet. He said the MOU provides an option for annual renewal upon mutual consent not to exceed five years. He said DPHSS's Special Supplemental Nutrition Program for Women, Infants and Children (WIC) currently leases a portion of Lot 2276. He stated WIC owes them \$54,299.35, and they are planning to pay a lump sum payment of \$42,000. He said the MOU expires on April 30, 2023. He stated WIC has to inform the Commission in writing no later than 60 days prior to the expiration of their interest to renew.

### PUBLIC COMMENTS

There were no public comments.

### ANNOUNCEMENT

The GALC Board scheduled a special meeting for February 22, 2023 at 2:30 p.m.  
The GALC Board scheduled its next regular meeting for March 8, 2023 at 2:30 p.m.

### ADJOURNMENT

**Motion by Commissioner Wessling to adjourn. The Chairman, hearing no objection, adjourned the meeting at 4:30pm.**

**Additional Remarks:** Please refer to the Office of Public Accountability's (OPA) website for the GALC Board Meeting Audio Recording for detailed information.



**APPROVED BY:**

**DATE APPROVED:**

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**Ronald F. Eclavea, Chairman**  
Guam Ancestral Lands Commission

**SUBMITTED BY:**

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**Mara Perez, Word Processing Secretary**  
Guam Ancestral Lands Commission

**REVIEWED AND APPROVED BY:**

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**John T. Burch, Executive Director**  
Guam Ancestral Lands Commission

## MEMORANDUM

**Date:** February 8, 2023

**To:** All Members, Guam Ancestral Lands Commission

**From:** Executive Director

**Re:** Executive Director's Report

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### **RFP GALC-22-001 - Independent Audit Services:**

The Audit Contract between GALC and Ernst & Young LLP for Independent Audit Services has been at the Attorney General's Office since January 26, 2023 pending approval to legality and form. After approval, the Contract will be forwarded to the Governor's Office for final signature.

The Contract provides GALC with Independent Financial Audit Services for fiscal years ending September 2022, 2023, and 2024 with an option to renew for one additional fiscal year.

All-inclusive maximum fee for each of the fiscal years to be audited:

<b>Fiscal Year</b>	<b>Base Year Fees</b>
2022	\$26,000
2023	\$27,000
2024	\$28,000

Fee for an additional year of service:

<b>Fiscal Year</b>	<b>Base Year Fees</b>
2025	\$29,000

### **Bill No. 23-37 (COR):**

Is an Act to amend Subsection (k) and add new Subsections (o) and (p) to §80101, and to amend §80104(b)(1), 80104(b)(3), 80104(c), and 80104(e) each of Chapter 80, Title 21, Guam Code Annotated, relative to clarifying the statutory mandate of the Ancestral Land Trust Bank.

The 3 main goals of this bill are to clarify the criteria for compensation eligibility, to provide multiple funding streams, and to provide means for claims to be calculated for distribution to the heirs. The Bill is largely the same as Bill No. 345-36 (COR) that was introduced in the 36<sup>th</sup> Guam Legislature. The new version of the Land Bank Reform Act includes an appropriation of \$10 million to the Land Bank Trust Fund from FY 2023 excess revenues and an annual appropriation of \$2 million from the general fund beginning in FY 2024.

### **GALC Legal Services Memorandum of Understanding:**

Work has started on drafting a proposed Memorandum of Understanding for legal services.

**Transfer of Funds to Investment Firms:**

After maturity, the transfer of funds within Coast360 from the Term Share Accounts 0411, 0412, 0413, 0414, 0415, and 0419 to the Trust Savings Account 0100 will be completed this week. As soon as this is completed, we will wire transfer Eight Million Dollars and Zero Cents (\$8,000,000.00) from the Trust Savings Account 0100, split equally between the Asia Pacific Group of Raymond James and the Bank of Guam Investment Services, Inc., with instructions to invest these funds conservatively.

**GALC Bank Accounts and Fund Balances:**

Below for your review are the latest GALC Bank Accounts and Fund Balances.

**Coast360 Trust for Guam Ancestral Lands Commission January 30, 2023**

ACCOUNT NUMBER	ACCOUNT NAME	MATURITY DATE	INTEREST RATE	AVAILABLE	BALANCE
0100	Trust Share Savings		0.25	6,073,529.15	6,073,534.15
0101	Landowner's Recovery Fund		0.25	5,040.99	5,040.99
0102	SID Fund		0.25	748,948.97	748,948.97
0200	Checking Operations Fund		0.23	1,000.68	1,000.68
0409	3 Month Jumbo Term Share	2/6/2023	0.45	905,900.16	1,005,900.16
0410	3 Month Jumbo Term Share	2/6/2023	0.45	905,900.16	1,005,900.16
0411	3 Month Jumbo Term Share	2/6/2023	0.45	905,900.16	1,005,900.16
0412	3 Month Jumbo Term Share	2/6/2023	0.45	905,900.16	1,005,900.16
0413	3 Month Jumbo Term Share	2/6/2023	0.45	905,900.16	1,005,900.16
0416	3 Month Jumbo Term Share	3/15/2023	0.45	459,742.53	559,742.53
0417	3 Month Jumbo Term Share	3/15/2023	0.45	240,202.24	340,202.24
0418	3 Month Jumbo Term Share	3/20/2023	0.45	2,586,432.83	2,686,432.83
0420	3 Month Jumbo Term Share	3/15/2023	0.45	245,730.27	345,730.27
	<b>TOTAL SHARES</b>			<b>14,890,128.46</b>	<b>15,790,133.46</b>

**Bank of Hawaii Trust for Guam Ancestral Lands Commission January 31, 2023**

ACCOUNT NUMBER	ACCOUNT NAME	MATURITY DATE	INTEREST RATE	AVAILABLE	BALANCE
0217	Trust Share Savings		0.02	64,340.95	64,340.95

Thank you for the opportunity to present this update. Please let me know if further information is required.

**MEMORANDUM**

**Date:** February 6, 2023

**To:** John Burch, Guam Ancestral Lands Commission Exec. Director

**From:** Melanie Mendiola- CEO/Administrator, Diego Mendiola- RPD Manager,  
Mary Camacho- RPD Supervisor and Tony Arriola- RPD Coordinator

**Subject:** GEDA Monthly Progress Report

*Håfa Adai!* The following is a progress report on GEDA's efforts to manage Land Bank Trust properties as required by Section 1(i) of the MOU between GEDA and GALC Land Bank Trust:

➤ **Wettengel Junction : Northern Market, LLC (NM)**

Monthly Rent	Outstanding Balance
\$ 27,854.51	\$ 1,522,086.18

- Total Deferred, Undeferred and Interest due as of 10/31/2022 = \$1,466,377.16.
- Last payment received on 1/4/2023 in the amount of \$55,709.02
- Pending NM's written proposal submission for deferred/undeferred and interest monthly payments due and projected lease revenues that will be provided to GALC Board commission for review and approval.

➤ **Apra Harbor Parcel No. 1 (Commissary Junction): KwikSpace**

Monthly Rent	Outstanding Balance
\$ 3,989.13	\$ 0

- Last payment received on 01/17/2023.

➤ **Apra Harbor Reservation F-12: Matson**

Monthly Rent	Outstanding Balance
\$ 27,733.00	\$ 27,733.00

- Last payment received on 01/03/2023.



➤ **Lot Apra Harbor Reservation F-12-R2: Trans Steel**

Monthly Rent	Outstanding Balance
\$ 500.00	\$ 8,900.00

- Last payment received on 01/30/2023 in the amount of \$600.00

➤ **Tanguisson Cable Landing Station, Dededo (Lot 10192): AT&T**

Monthly Rent	Outstanding Balance
\$ 22,939.42	\$ 0

- Last payment received on 01/03/2022.

➤ **Lot Apra Harbor Reservation F-12 Polaris Point: Smithbridge Guam**

Monthly Rent	Outstanding Balance
\$ 8,800.00	\$ 8,800.00

- Last payment received on 12/16/2022.

➤ **Lot 10155-1: Farmers Cooperative Association of Guam (FCAG)**

Annual Rent	Outstanding Balance
CY 2021	\$ 4,822.32

- Pending CY2022 Financial Statements to determine annual payment due for May 2023.

## TIYAN PROPERTIES

➤ **Guam Environmental Protection Agency (GEPA)**

Monthly Rent	Outstanding Balance
\$ 8,000.00	\$ 248,000.00

- Last payment received on 9/27/2022 in the amount of \$8,000.00.
- GEPA is currently pending receipt of federal funds and upon receiving funds monthly lease payments will be made.

➤ **DPHSS (WIC)**

Monthly Rent	Outstanding Balance
\$ 8,400.00	\$ 54,299.35

- Last payment received on 12/16/2022 in amount of \$16,800.
- DPHSS has indicated via email on 1/30/23, that they received certification of funds for FY2023 and is processing the amount of \$42,000 and will be remitted soon.

## OTHER ITEMS

### ➤ Investment Committee

- GALC Board Commission approved to move the amount of \$8 Million from GALC funds to be invested with the 2 listed brokerage firms. \$4million to be invested with RJ and remaining \$4 Million with BGIS. Approved on 1/11/2023.
- IPS (Investment Policy Statement) approved by GALC Board Commission on 1/11/2023.

### ➤ F-12 Polaris Mitigation Plan

- Pending Mitigation Plan SOW and Budget from SBG.

Should you have any questions, please contact us at 671-647-4332. *Si Yu'os Ma'ase'* for your continued support in generating revenues for the beneficiaries of the Trust.

*Senseraamente,*



**MELANIE MENDIOLA**  
CEO/ Administrator



**GUAM ANCESTRAL LANDS COMMISSION  
SPECIAL MEETING MINUTES  
Via Zoom with Live-Streaming on YouTube  
February 22, 2023 • 2:31 p.m. to 3:46 p.m.**

**CALL TO ORDER**

Chairman Eclavea called to order the virtual, special meeting of the Guam Ancestral Lands Commission (GALC) at 2:31 p.m. In compliance with Public Law 24-109, GALC published notices of the meeting in *The Guam Daily Post* on Wednesday, February 15, 2023 and Monday, February 20, 2023.

**ROLL CALL**

Executive Director Burch took roll call and stated they had a quorum.

**Commission Members Present**

Ronald F. Eclavea, Chairman  
Ronald T. Laguana, Vice Chairman  
Maria G. Cruz, Secretary/Treasurer  
Anita F. Orlino, Commissioner  
Louisa F. Wessling, Commissioner

**Absent**

Angela M. Camacho, Commissioner  
Jeffrey B. Rios, Commissioner

**Management and Staff Present**

John T. Burch, Executive Director  
Sandra Miller, Legal Counsel, Office of the Attorney General (OAG)  
Joey Leon Guerrero, Land Agent III  
Antolin Mendiola, Land Agent I  
Teresa Topasna, Administrative Assistant

**Absent**

Catherine T. C. Blas, Program Coordinator III  
Kristan Finney, Legal Counsel, OAG  
Mara Perez, Word Processing Secretary

**Also Present**

William Bischoff, Esq.

**PENDING LITIGATIONS - LEGAL COUNSEL UPDATES**

Ms. Miller said the special meeting was called to discuss the status of the settlement of the Torres Estate. She addressed the email from Executive Director Burch to the OAG which asked for information with respect to the Torres Estate settlement which had been entered into in July 2020. She said Mr. Burch wanted to see documents showing where it says the Commission's interests and the Government of Guam's interests or the Attorney General's interests were not aligned. She stated this was basically answered at GALC's December 14, 2022 board meeting when Mr. Toft iterated that the Government of Guam was the plaintiff and not the Commission in all 5 cases (and 2 probates), collectively the Torres Estate.

Mr. Bischoff asked if Ms. Miller was talking about the Canto memo to Nick Toft.

Ms. Miller said yes, the memo was dated November 9, 2022 and then there was the December 14 meeting. She said the email was discussed at the meeting.

Mr. Bischoff explained how he had been trying to get information about the status of the Torres Estate since February of last year. He discussed how, as a matter of law, GALC cannot sue or be sued in its own name, that it's the Government of Guam that brings the case, citing several rulings on this. He noted how lands that were not Federal returned lands had been improperly transferred into GALC's inventory. He discussed several aspects of the Torres Estate confidential settlement agreement that he found troubling. He talked about the history of some of the cases. He talked about the first case involving the lot behind the Micronesia Mall that he got a settlement for. He asked if Mr. Canto had ever attended any of their meetings.

The Chairman said no.

Mr. Bischoff asked Ms. Miller if she had looked into any of the things he was bringing up. He asked Ms. Miller if she thought any of it was appropriate.

Ms. Miller said she didn't know enough about it to say.

Mr. Bischoff asked if Ms. Miller could look into it. He added he wondered if some action should be taken with respect to Mr. Canto.

The Chairman said that GALC had had settlement offers in the past. He said they believed that GALC was the one being represented in court for those offers, that they were the plaintiffs. He said it was disturbing that the OAG settled the Torres Estate without consulting the Commission. He noted the settlement took place during lockdown.

Mr. Bischoff said and then for two years they kept it hidden. He said if Mr. Canto had acted beyond his authority, then action needs to be taken against him.



Ms. Miller said if the Commission has an issue with how the case was handled, then there are avenues they can take and complaints they can make.

Mr. Bischoff said he didn't know what those would be at this point except for going after Mr. Canto personally. He asked Ms. Miller if she could think of what other avenues there are.

Ms. Miller said she didn't know, and she would really have to think about it.

Mr. Bischoff said so neither of them know except to go after Mr. Canto and anyone else who also took part in that settlement.

Ms. Miller said she knew the OAG believes it acted appropriately and in the best interest of the public.

Mr. Bischoff asked which AG's Office was she talking about, the current or previous one.

She said she was speaking as to what Mr. Canto's memo said and what Mr. Toft represented at the December meeting (which was the previous administration). She said the current administration is very new. She said she didn't have any answers for the Commission as to what it can do or what is appropriate to do.

The Chairman said they were facing a statute of limitations.

Mr. Bischoff said they have until July 2023.

Ms. Miller asked if Mr. Bischoff was recommending something.

Mr. Bischoff said he was recommending the OAG find out what happened, what made the previous administration dismiss everything to zero. He reiterated some of the cases involved lands that didn't even belong in GALC's inventory at all and said there was even a stronger cause of action for those.

Ms. Miller referred to Mr. Bischoff's FOIA request at the OAG, which requested any documents that he was discussing right now. She said the OAG's response was that there were no documents.

Mr. Bischoff said the response he got last week was that there were no documents that the OAG was required to show. He said he requested two things, any correspondence (regarding the Torres Estate) between Mr. Canto and (former AG) Mr. Camacho and any correspondence between Mr. Canto and the attorneys for the Torres Estate. He said the OAG can supply those, if they want to. He said the response he got said they weren't required to.

Ms. Miller stated the OAG's response to his FOIA request said there are no documents responsive to his request in the custody of the OAG. She said it also asserted the attorney client privilege.

Mr. Bischoff said the last line of each of those responses says that they are required to be produced. He said the OAG is not saying there are no such documents. He asked Ms. Miller to look into this and to let them know. He said if there are no such documents, then that itself is telling. He said if there are such documents, if the OAG could waive the privilege and produce them.

Ms. Miller said Mr. Bischoff is welcome to send a follow up.

Mr. Bischoff said he would do that.

The Vice Chairman said Ms. Finney was familiar with this case and was surprised she wasn't present. He asked Ms. Miller to get with her on this.

Ms. Miller said she spoke briefly with Ms. Finney when they first got assigned to GALC. She said Ms. Finney had some recollection of the times and events being talked about. She said she would get with Ms. Finney again about this.

The Vice Chairman asked if the current AG could look into this matter.

Ms. Miller said she would be happy to take the Commission's request to the AG to review the events that transpired in 2020.

## **ADJOURNMENT**

**Motion by the Vice Chairman to adjourn. The Chairman, hearing no objection, adjourned the meeting at 3:31 pm.**

**Additional Remarks:** Please refer to the Office of Public Accountability's (OPA) website for the GALC Board Meeting Audio Recording for detailed information.

**APPROVED BY:**

**DATE APPROVED:**

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**Ronald F. Eclavea, Chairman**  
Guam Ancestral Lands Commission

**PREPARED BY:**

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**Mara Perez, Word Processing Secretary**  
Guam Ancestral Lands Commission

**REVIEWED AND APPROVED BY:**

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**John T. Burch, Executive Director**  
Guam Ancestral Lands Commission

# MEMORANDUM

Date: March 8, 2023

To: All Members, Guam Ancestral Lands Commission

From: Executive Director

Re: Executive Director's Report

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## **RFP GALC-22-001 - Independent Audit Services:**

The Audit Contract between GALC and Ernst & Young LLP for Independent Audit Services has been at the Attorney General's Office since January 26, 2023. We have been advised that there are legal issues that need to be addressed before the Attorney General will sign the contract. After we address these issues, the Contract will be sent out for signatures.

## **GALC Legal Services Memorandum of Understanding:**

We were advised by AAG Kristan Finney to hold off on submitting a proposed Memorandum of Understanding to the Office of the Attorney General for legal services until further notice. She further advised that she will continue to advise the GALC on legal matters and AAG Sandra Miller will represent the GALC on litigation matters.

## **Transfer of Funds to Investment Firms:**

The transfer of Eight Million Dollars and Zero Cents (\$8,000,000.00) from the GALC Trust Savings Account 0100 at Coast360, split equally between the Asia Pacific Group of Raymond James and the Bank of Guam Investment Services, Inc., with instructions to invest these funds conservatively has been completed.

In response, Coast360 made an offer to the GALC to invest the remaining \$7.8 million in the GALC Trust accounts into their Special Term Share Promotion with rates as high as 4.40% Annual Percentage Yield (APY). At their discretion, Coast360 may waive early withdrawal penalties, "provided that the funds are not withdrawn within six (6) days from the account opening per regulatory requirements, and that the funds are being withdrawn for purposes directly related to the mission and objectives of the Commission; i.e. payout to land owners or payment for the development of properties." See Coast360 Special Term Share Promo below and the attached letter from Coast360.

For comparison, BGIS Certificates of Deposit Rates are also listed below. Both certificates of deposit (CDs) and share certificates are low-risk deposit accounts where funds can grow at a fixed rate. The main distinction between them is that CDs are products offered by for-profit banks, while share certificates are offered by member-owned, not-for-profit credit unions.

Coast360 recommends the Commission consider establishing a Money Market Savings Account to increase returns on its current savings account balances through higher rates with greater compounding frequencies. This is a high yield savings account. The benefits are: Money remains liquid; No monthly service fee when you keep a \$2,500 daily balance, Dividends are paid monthly, and write up to six checks per month. See Coast360 Money Market Rates below.

### **Coast360 Special Term Share Promo Effective February 6, 2023**

Minimum \$2,500 required to establish account.	
Term	Rate (APY)
6 months	2.75%
9 months	3.60%
12 months	4.30%
24 months	4.40%
36 months	4.10%

**BGIS Certificates of Deposit Rates as of February 9, 2023**

Term	Rate (APY)
1 month	4.30%
2 months	4.40%
3 months	4.55%
6 months	4.65%
9 months	4.70%
12 months	4.70%
18 months	4.70%
24 months	4.65%

**Coast360 Money Market Rates Effective October 1, 2021**

APY	Min. Deposit Req.	Min. Balance to earn APY
0.30%	\$2,500.00	\$2,500 - \$9,999.99
0.30%		\$10,000 - \$24,999.99
0.35%		\$25,000 - \$49,999.99
0.35%		\$50,000 - \$99,999.99
0.35%		\$100,000 and over

**GALC Bank Accounts and Fund Balances at Coast360:**

Below for your review are the latest GALC Bank Accounts and Fund Balances at Coast360.

**Coast360 Trust for Guam Ancestral Lands Commission February 17, 2023**

ACCOUNT NUMBER	ACCOUNT NAME	MATURITY DATE	INTEREST RATE	AVAILABLE	BALANCE
0100	Trust Share Savings		0.25	1,120,523.26	1,120,528.26
0101	Landowner's Recovery Fund		0.25	5,040.99	5,040.99
0102	SID Fund		0.25	748,948.97	748,948.97
0200	Checking Operations Fund		0.23	1,000.68	1,000.68
0409	3 Month Jumbo Term Share	5/6/2023	0.45	907,041.09	1,007,041.09
0410	3 Month Jumbo Term Share	5/6/2023	0.45	907,041.09	1,007,041.09
0416	3 Month Jumbo Term Share	3/15/2023	0.45	459,742.53	559,742.53
0417	3 Month Jumbo Term Share	3/15/2023	0.45	240,202.24	340,202.24
0418	3 Month Jumbo Term Share	3/20/2023	0.45	2,586,432.83	2,686,432.83
0420	3 Month Jumbo Term Share	3/15/2023	0.45	245,730.27	345,730.27
	<b>TOTAL SHARES</b>			<b>7,221,703.95</b>	<b>7,821,708.95</b>

Thank you for the opportunity to present this update. Please let me know if further information is required.

**ATTACHMENT**



February 27, 2023

Mr. John T. Burch, Executive Director  
 Mr. Ronald F. Eclavea, Chairman  
 Guam Ancestral Lands Commission  
 P.O. Box 2950  
 Hagatna, GU 96932

Dear Mr. Burch and Mr. Eclavea:

Thank you for making the time to meet with Gener and me on February 16, and for providing us with greater insight of the recent decisions and developments of the Commission. We appreciate the candor and transparency afforded us during our discussions.

The following is a brief summary of the key points in our discussion, with the primary focus on options that will increase the returns on the funds currently placed with Coast360.

As you know, Coast360 is currently running a Term Share promotional campaign with rates as high as 4.40% APY for a fixed term of 24 months. Concerns were raised with the penalties that may apply should the funds be withdrawn prior to its maturity.

In response, Coast360 advises that it may, at its discretion, waive early withdrawal penalties, provided that the funds are not withdrawn within six (6) days from the account opening per regulatory requirements, and that the funds are being withdrawn for purposes directly related to the mission and objectives of the Commission; i.e. payout to land owners or payment for the development of properties.

Coast360 recommends that the Commission consider establishing a Money Market Savings Account to increase returns on its current savings account balances through higher rates with greater compounding frequencies.

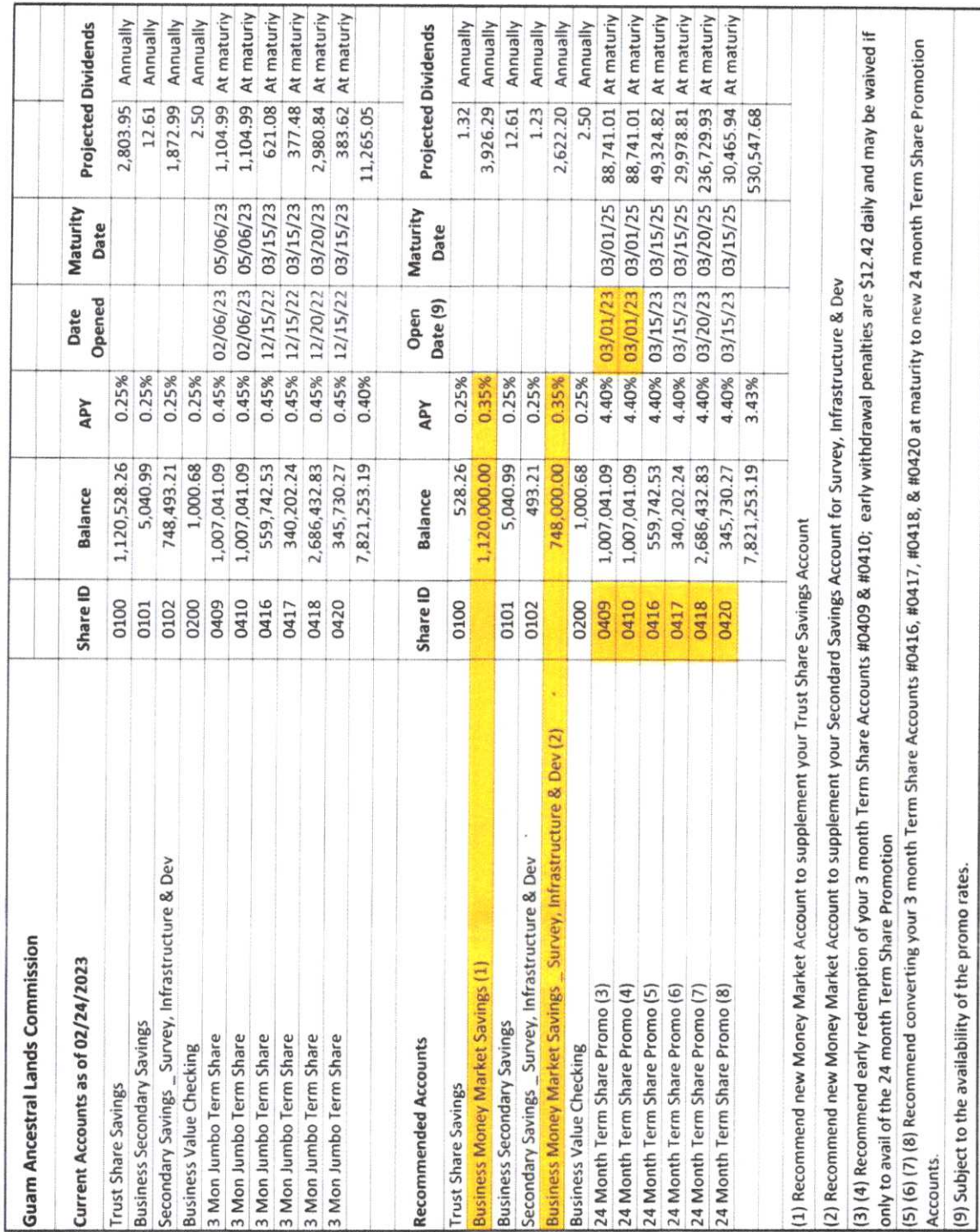
I have also attached a projection of earnings should you decide to avail of the Term Share Promotions within the month of March along with the above recommended Money Market Savings Account. The projected earnings are based on a sample distribution of the funds between the different account types. The earnings will vary based on how the Commission allocates the funds between these accounts. Please note that our Term Share promotional campaign is being offered for a limited time only and may be discontinued at any time, at the discretion of the credit union. Enclosed is a Membership Account Booklet and Account Disclosures for your review.

Please do not hesitate to contact me directly should you have additional questions or concerns.

Sincerely,

Monica L. Pido  
 Chief Operations Officer

Copy: Gener F. Deliquina, Chief Executive Officer







## Brokered certificates of deposit

Are you staying invested?

### FDIC-INSURED PREDICTABLE INCOME

#### THIS WEEK'S RATES:

1 YEAR CD	2 YEAR CD	3 YEAR CD	4 YEAR CD	5 YEAR CD
5.10%	5.00%	4.75%	4.65%	4.60%

Annual percentage yields (APYs) as of **03/01/2023**. Rates are subject to change and availability. Minimum quantity may apply.

#### ABOUT FDIC INSURANCE

Currently, the FDIC limits the insured amount (including principal and interest) for all deposits held in the same capacity to \$250,000 per depositor, per insured depository institution and \$250,000 for certain retirement accounts. The FDIC has permanently increased insurance coverage to \$250,000 for deposits held in all ownership categories, including single accounts, joint accounts and trust accounts. Therefore, excess holdings may not be insured. IRAs and certain other retirement accounts will maintain the \$250,000 insurance coverage.

#### ABOUT LIQUIDITY

Funds may not be withdrawn until the maturity date or redemption date. However, the brokered CDs are negotiable, which means that, although not obligated to do so, Raymond James and other broker/dealers presently maintain an active secondary market at current interest rates. Market value will fluctuate and, if the CD is cashed out prior to maturity, the proceeds may be more or less than the original purchase price. Holding CDs until term assures the holder of par value redemption. CDs are redeemable at par upon the death of the beneficial holder. For a detailed overview of these and other risks, refer to the Certificate of Deposit Disclosure Statement at [raymondjames.com/liquid.htm](https://raymondjames.com/liquid.htm). Additional information is also available on the SEC Certificates of Deposit website at [investor.gov/introduction-investing/investing-basics/investment-products/certificates-deposit-cds](https://investor.gov/introduction-investing/investing-basics/investment-products/certificates-deposit-cds).

Please contact your financial advisor for complete information about brokered CDs, including charges and expenses.





## Brokered certificates of deposit

Are you staying invested?

### FDIC-INSURED PREDICTABLE INCOME

#### THIS WEEK'S RATES:

3 MONTH CD	6 MONTH CD	9 MONTH CD	1 YEAR CD
4.80%	4.95%	5.00%	5.10%

Annual percentage yields (APYs) as of **03/01/2023**. Rates are subject to change and availability. Minimum quantity may apply.

#### ABOUT FDIC INSURANCE

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Please contact your financial advisor for complete information about brokered CDs, including charges and expenses.